

**ZB# 83-19**

**Fred Pellechia**

**33-2-12 & 13**

83-19 - Bellechia, Fred - area variance

Prelim.

Apr. 25, 1983,

Public Hearing

May 9, 1983

CCPD notified 4/28/83

~~file~~

~~file~~

file

# General Receipt

5253

TOWN OF NEW WINDSOR

555 Union Avenue  
New Windsor, N. Y. 12550

June 23 1983

Received of Dairy Barn (Plecchia) \$ 50.00

fifty DOLLARS

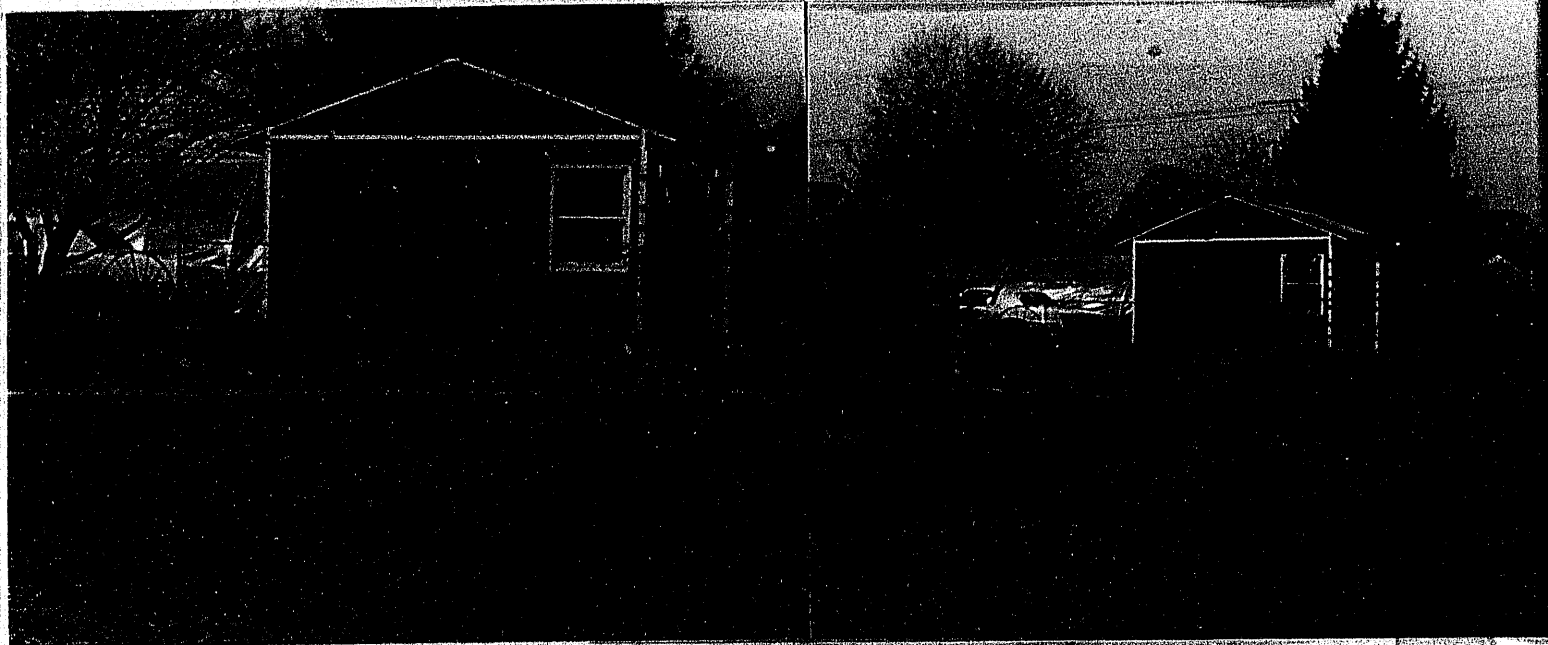
For Variance fee

DISTRIBUTION:

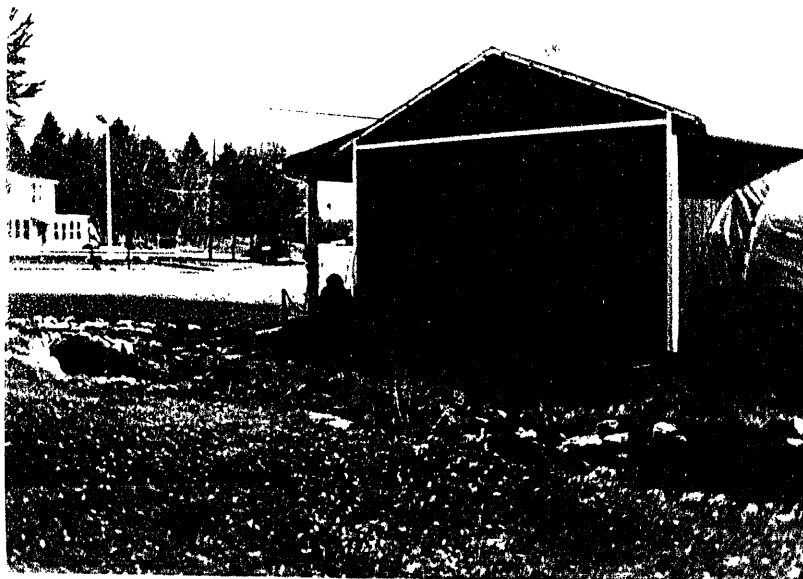
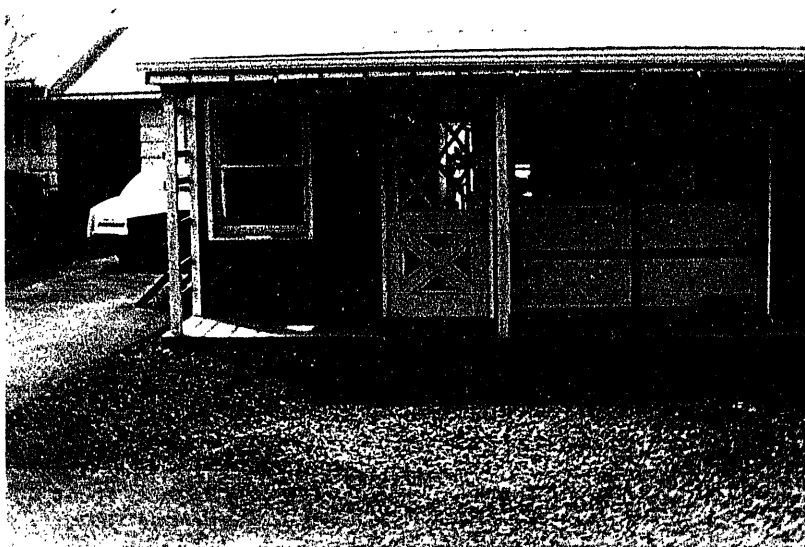
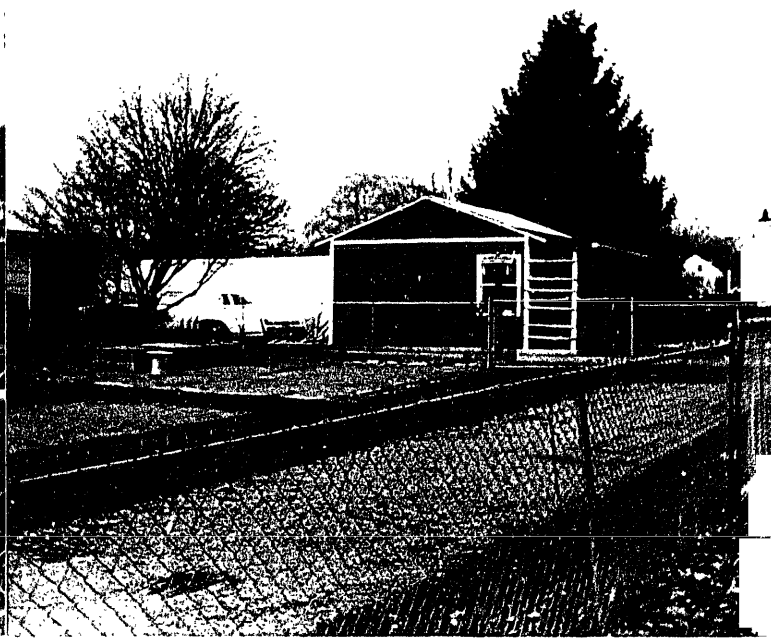
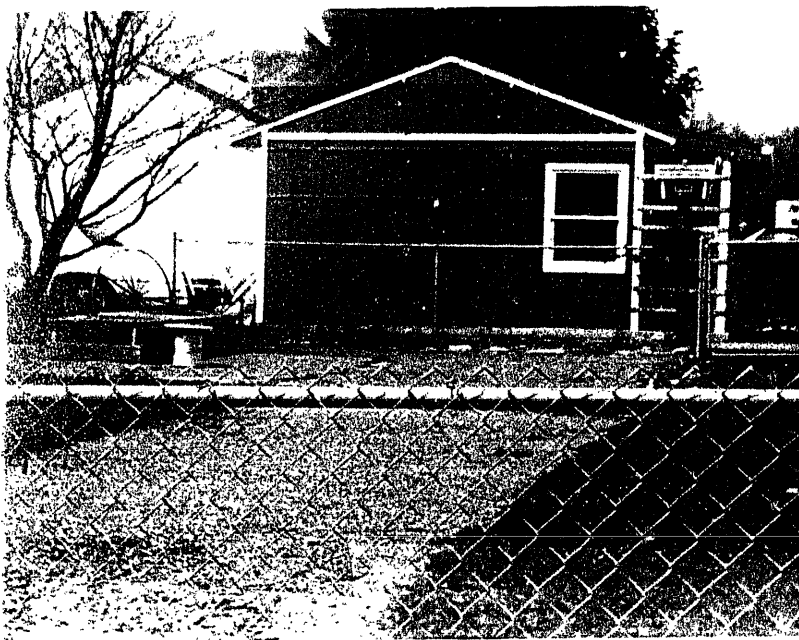
FUND	CODE	AMOUNT
Check		50.00

By Pauline Townsend  
Town Clerk  
Title

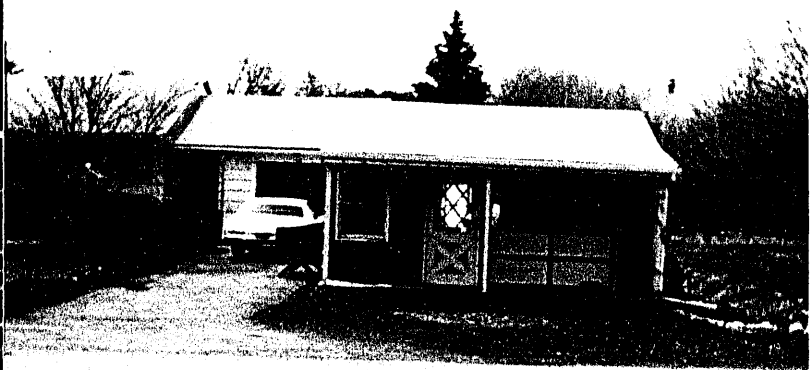
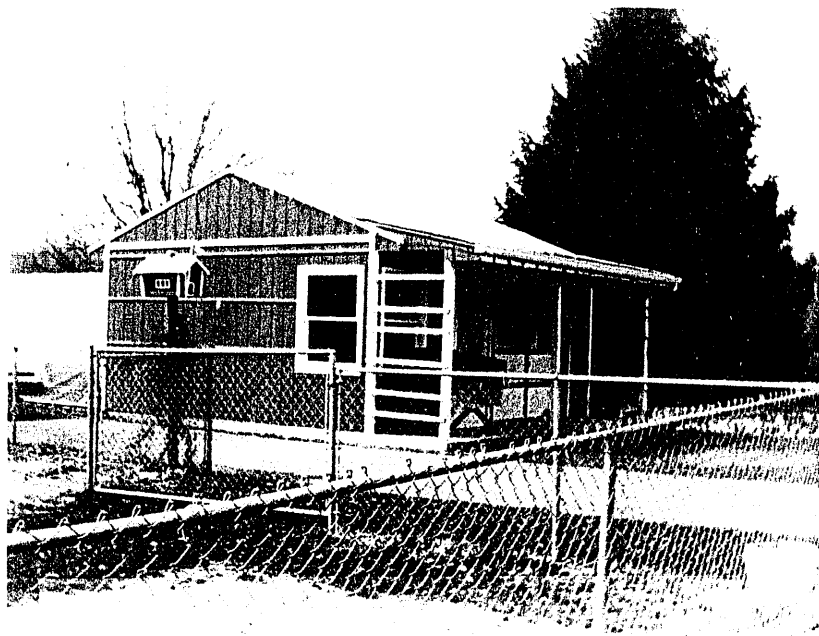
Williamson Law Book Co., Rochester, N. Y. 14609

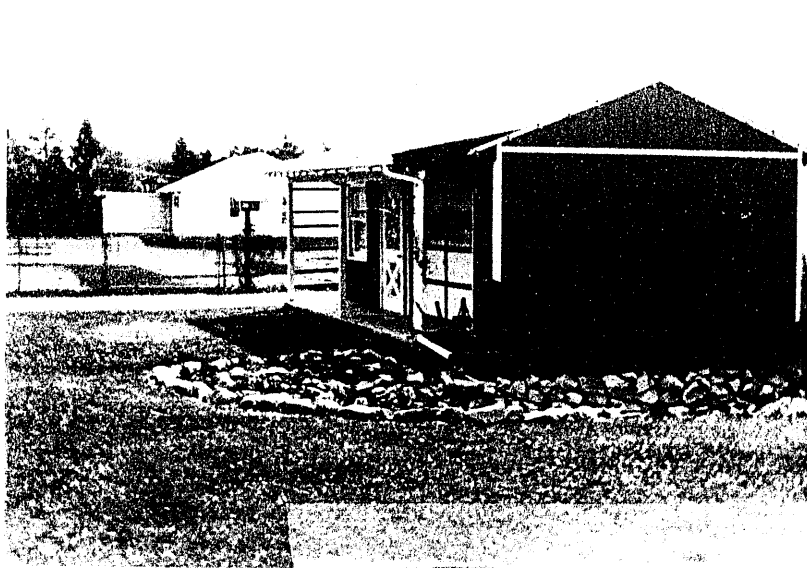
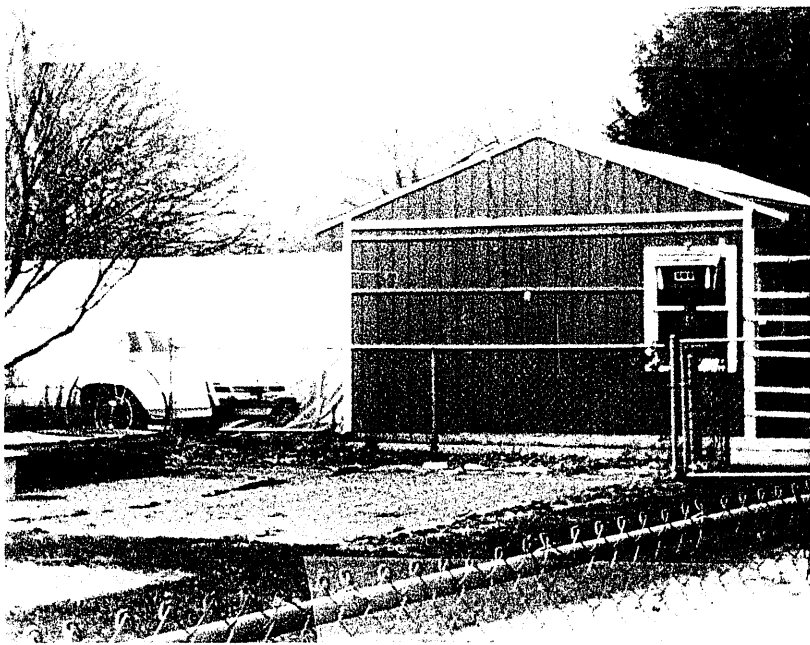
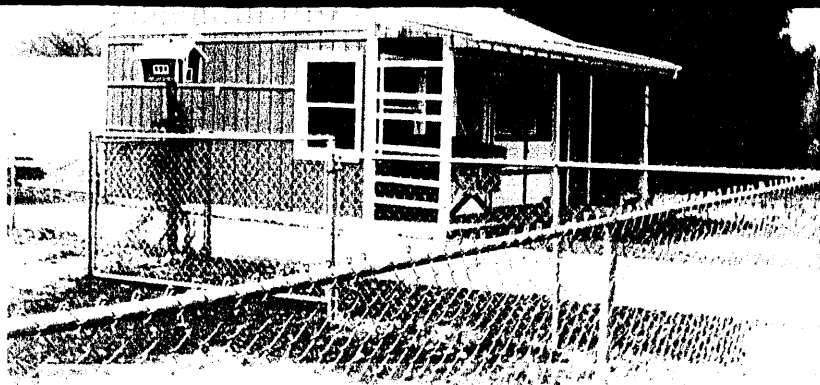


Check	5000	Team Check
		Title









7:30 p.m.

**Building Inspector**

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 83-19.

Date: 4/25/83

I. Applicant Information:

- (a) FRED N. PELLECHIA 601 L. BRITAIN RD. 564 1736  
(Name, address and phone of Applicant) (Owner)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Special Permit

III. Property Information:

- (a) NC 601 LITTLE BRITAIN ROAD (33-2-12) 21,312.98 S.F.  
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4A
- (c) Is a pending sale or lease subject to ZBA approval of this application? NO
- (d) When was property purchased by present owner? 11-13-75
- (e) Has property been subdivided previously? NO When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? NO When? \_\_\_\_\_
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? YES
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_, to allow:  
(Describe proposal) \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

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V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. 6.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>10,000 sq. ft.</u>	<u>21,313 sq. ft.</u>	<u>          </u>
Min. Lot Width <u>100'</u>	<u>136'</u>	<u>          </u>
Reqd. Front Yd. <u>40'</u>	<u>28'±</u>	<u>1/12'±</u>
Reqd. Side Yd. <u>15/35</u>	<u>20' 90'±</u>	<u>          </u>
Reqd. Rear Yd. <u>15</u>	<u>119'±</u>	<u>          </u>
Reqd. Street Frontage*	<u>          </u>	<u>          </u>
Max. Bldg. Hgt. <u>35'</u>	<u>12'±</u>	<u>          </u>
Min. Floor Area*	<u>          </u>	<u>          </u>
Dev. Coverage* <u>          </u> %	<u>          </u> %	<u>          </u> %
Floor Area Ratio** <u>1.1</u>	<u>          </u>	<u>          </u>

\* Residential Districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

1. BUILDING IS EXISTING WITH SETBACK AT 28', NOT 40'.
2. BUILDING PERMIT WAS OBTAINED FOR STRUCTURE AT ACTUAL LOCATION WHERE IT WAS ULTIMATELY BUILT.
3. OTHER VARIANCES HAVE BEEN ELIMINATED BY A LOT LINE CHANGE.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section           , Table of            Regs., Col.           .

	Requirements	Proposed or Available	Variance Request
Sign 1	<u>          </u>	<u>          </u>	<u>          </u>
Sign 2	<u>          </u>	<u>          </u>	<u>          </u>
Sign 3	<u>          </u>	<u>          </u>	<u>          </u>
Sign 4	<u>          </u>	<u>          </u>	<u>          </u>
Sign 5	<u>          </u>	<u>          </u>	<u>          </u>
Total	<u>          </u> sq.ft.	<u>          </u> sq.ft.	<u>          </u> sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table of \_\_\_\_\_ Regs., Col. \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

1. SITE WILL BE PROPERLY PAVED AND LANDSCAPED  
2. BUILDING IS EXISTING AND BEING USED COMMERCIALY.  
IT FITS NEIGHBORHOOD WELL AND THERE HAVE BEEN NO COMPLAINTS.

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of ~~contract of sale, lease or franchise agreement.~~ **DEED**
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ ~~50.00~~ payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 4/26/83

STATE OF NEW YORK )  
COUNTY OF ORANGE ) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Fred G. Bellina  
(Applicant)

Sworn to before me this

26 day of April, 19 83

JEAN M. VAN VOORHIS  
Notary Public, State of New York  
No. 4504952  
Qualified in Orange County  
My Commission expires Mar. 30, 1985

Jean M. Van Voorhis  
NOTARY

XI. ZBA Action:

- (a) Public Hearing date \_\_\_\_\_.
- (b) Variance is \_\_\_\_\_.
- Special Permit is \_\_\_\_\_.
- (c) Conditions and safeguards: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY  
RESOLUTION OF ZONING BOARD OF APPEALS.



INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
TOWN BUILDING/ZONING OFFICER

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARINGS BEFORE ZBA - May 9, 1983

DATE: April 28, 1983

Please be advised that the following is a list of public hearings which will be on the May 9, 1983 agenda of the ZBA:

- (1) WORTMANN, FRANK - area variance;
- (2) DIPLOMAT MOTEL - sign variance;
- (3) PELLECHIA, FRED - area variance.

I have attached hereto copies of the DIPLOMAT and PELLECHIA applications, together with public hearing notices for each. You have previously received the Wortmann paperwork under my memo dated April 25, 1983.

Pat

/pd  
Attachments



Louis Heimbach  
County Executive

**Department of Planning  
& Economic Development**

124 Main Street  
Goshen, New York 10924  
(914) 294-5151

Peter Garrison, Commissioner  
Richard S. DeTurk, Deputy Commissioner

May 5, 1983

Mr. Richard Fenwick, Chairman  
Town of New Windsor Zoning Board of Appeals  
555 Union Avenue  
New Windsor, N.Y. 12550

Re: Variance--Pellechia  
Little Britain Rd.  
Our File No. NWT 6-83-M

Dear Mr. Fenwick:

Our office has reviewed the above application submitted to us in accordance with the provisions of Section 239, 1 and m, Article 12-B of the General Municipal Law of the State of New York.

We hereby return the matter for final local determination.

Very truly yours,

Peter Garrison  
Commissioner Department of Planning  
& Economic Development

PG/rk  
Enclosure

Reviewed by:

Joel Shaw  
Senior Planner

RECEIVED  
ATTORNEY'S OFFICE  
TOWN OF NEW WINDSOR  
MAY 8 1983  
BY:

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals  
of the TOWN OF NEW WINDSOR, New York will hold a  
Public Hearing pursuant to Section 48-34A of the  
Zoning Ordinance on the following proposition:

Appeal No. 19

Request of FRED PELLECHIA

for a VARIANCE ~~SPECIAL PERMIT~~ of  
the regulations of the Zoning Ordinance to

permit A FRONT YARD VARIANCE OF 12'±  
FOR AN EXISTING STRUCTURE LOCATED  
AT 601 LITTLE BRITAIN ROAD (TAX MAP  
SECTION 33, BLOCK 2, LOTS 12 & 13)  
being a VARIANCE ~~SPECIAL PERMIT~~ of

Section 48-12 BULK REGS COL. 6

for property situated as follows:

601 LITTLE BRITAIN ROAD  
(TAX MAP SECTION 33, BLOCK 2,  
LOTS 12 AND 13)

SAID HEARING will take place on the 9th day of

MAY, 1983, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

1:30 o'clock P. M.

RICHARD FENWICK  
Chairman



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

April 26, 1983

Mr. Fred N. Pellechia  
601 Little Britian Road  
New Windsor, New York 12550  
Re: 33-2-13  
Dear Mr. Pellechia:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$40.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours

A handwritten signature in cursive script, appearing to read "Paul V. Cuomo".

Paul V. Cuomo P.E.  
Town Engineer  
Town Of New Windsor

PVC fkt



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

## List of property owners

1763

Angelo Sakadelis  
602 Little Britian Rd.  
New Windsor, N.Y.

DOT  
Stewart Field  
New Windsor, N.Y.

VSH Realty IND  
777 Dedham St  
Canton, Mass 02021

Stephen Sakadelis  
87 South William St.  
Newburgh, N.Y.

Herman Herschel  
Rt 209  
Wurtsboro, N.Y. 12790

Beak Technical Corp  
594 Little Britian Rd.  
New Windsor, N.Y.

Alan Dantas  
590 Little Britian Rd.  
New Windsor, N.Y.

William Paladino Jr.  
Perkinsville Rd.  
Highland, N.Y. 12528

Joseph Bivona  
191 Lakeside Road  
Newburgh, N.Y. 12550

Donald Witfield  
R.D.# 4 Box 507  
New Windsor, N.Y.

Lawrence Billebbo  
4 Ona Lane  
New Windsor, N.Y.

Frances Charland  
595 Little Britian Rd.  
New Windsor, N.Y.

Anthony Christie  
593 Little Britian Rd.  
New Windsor, N.Y.

John Ambury  
591 Little Britian Rd.  
New Windsor, N.Y.

Richard ~~De~~ Portzer  
589 Little Britian Rd.  
New Windsor, N.Y.

James Delaune  
6 Weather Oak Hill  
New Windsor, N.Y.

Barney Cararone  
8 Weather Oak Hill  
New Windsor, N.Y.

Nicholas Wolkringer  
10 Weather Oak Hill  
New Windsor, N.Y.

Lawrence Cooney  
7 Weather Oak Hill  
New Windsor, N.Y.

Friederike Rottmeier  
9 Weather Oak Hill  
New Windsor, N.Y.

Francis Charland  
595 Little Britian Rd.  
New Windsor, N.Y.

George Kent  
11 Weather Oak Hill  
New Windsor, N.Y.

Certified by

Paul V. Cuomo P.E. Town Engineer

*Paul V. Cuomo* 4/26/83



1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK  
(914) 565-8550

*file*

May 12, 1983

VINCENT J. DOCE ASSOCIATES  
15 New Road  
Newburgh, N. Y. 12550

Attn: Mr. Vincent J. Doce

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS  
PELLECHIA, FRED - #83-19

Dear Mr. Doce:

In accordance with my telephone conversation with Jim Raab of Tuesday, May 10, 1983, this is to confirm that there is a \$50.00 zoning variance application fee due on the above-entitled matter.

This fee must be paid before the matter can be filed as a Town record with the Town Clerk. Also, no formal decision will be acted upon by the ZBA until all fees are paid.

Very truly yours,

*Patricia Delio*

PATRICIA DELIO, Secretary  
New Windsor Zoning Board of Appeals

/pd

cc: Town Clerk Townsend

5/9/83 - Public Hearing - Pellechia, Fred

#83-19

Name:

Nick Volking

Address:

10 Weather Oak Hill

Ernest Pellechia  
Fred Pellechia





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK  
(914) 565-8550

Date: May 10, 1983

Mr. Vincent Doce  
VINCENT DOCE ASSOCIATES  
15 New Road  
Newburgh, N. Y. 12550

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS  
# 83-19 - PELLECHIA, FRED

Dear Vince:

This is to confirm that your above application before the New Windsor Zoning Board of Appeals was granted at a meeting held on the 9th day of May, 1983.

A formal decision will be drafted and acted upon at a later date. You will be receiving a copy of same by return mail.

Meanwhile, if you have any further questions, please do not hesitate to call me.

Yours very truly,

A handwritten signature in cursive script that reads 'Patricia Delio'.

PATRICIA DELIO, Secretary  
New Windsor Zoning Board of Appeals

/pd

cc: Patrick Kennedy, Bldg/Zoning Inspector  
Town Planning Board

NEW WINDSOR ZONING BOARD OF APPEALS

-----x  
In the Matter of the Application of

FRED N. PELLECHIA

DECISION GRANTING  
VARIANCE

# 83-19

-----x  
WHEREAS, FRED N. PELLECHIA of 601 Little Britain  
Road, New Windsor, N. Y., has made application before the  
Zoning Board of Appeals for area variance for the purposes of:  
operating a soft ice-cream business with insufficient front yard to be  
located at 601 Little Britain Road, in an NC zone;

WHEREAS, a public hearing was held on the 9th day of  
May, 19 83 before the Zoning Board of Appeals at the Town Hall,  
New Windsor, New York; and

WHEREAS, the applicants appeared by agent,  
Vincent J. Doce of  
VINCENT J. DOCE ASSOCIATES, 15 New Road, Newburgh, NY; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New  
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents  
and businesses as prescribed by law and published in The Sentinel, also  
as required by law.

2. The evidence shows: that applicant, PELLECHIA, presently  
operates a garden center in an NC zone and he proposes a soft ice-cream  
business which will replace the garden center operation;

3. The evidence shows that applicant, PELLECHIA, has in-  
sufficient front yard totaling 12 ft. which is necessary for setback in  
the NC zone.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the area variance requested is not granted.

2. The proposed variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

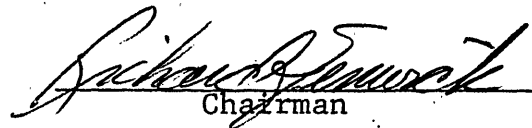
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grant a 12 ft. frontyard variance to applicant, PELLECHIA, in accordance with plans submitted at the public hearing with the below restrictions: (\*)

BE IT FURTHER,

RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: May 23, 1983.

  
Chairman

- (\*) 1. That a natural barrier be placed in front of the structure preventing parking in front of the structure; and
2. A fence or a barricade of some type be placed to prevent easy access to the open culvert on property.

# This Indenture,

Made the 13th day of November, , nineteen hundred and Seventy-five,

Between GEORGIAN D. KOCH, residing at M. D. 35, Little Britain Road, New Windsor, New York 12550,

*part Y of the first part, and*

FRED N. PELLECHIA and EDITH PELLICHIA, husband and wife, as tenants by the entirety, residing at No. 18 Linden Drive, Newburgh, New York 12550,

*parties of the second part:*

Witnesseth, that the part Y of the first part, in consideration of Ten and no/100 (\$10.00) Dollars, lawful money of the United States, and other good and valuable considerations paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever,

All that piece or parcel of land, together with the improvements thereon, situated in the Town of New Windsor, Orange County, New York, bounded and described as follows:-

BEGINNING at an iron rod in the southerly right of way line of the New York State Highway Route 207, from Newburgh to Little Britain, said point being 142.87 feet distant measured southeasterly along the said right of way line from the easterly corner of lands of Nathaniel M. Brown, and being 12± feet distant measured southeasterly from the center of a concrete culvert and runs,

THENCE (1) South 76° 13' East along said Right of Way line 100.19 feet to an iron rod,

THENCE (2) South 17° 16' West 170.37 feet to an iron rod,

THENCE (3) North 72° 44' West 100.0 feet to an iron rod on the easterly side of a small drainage ditch,

hundred and Seventy-five,

Between GEORGIAN D. KOCH, residing at M. D. 35, Little Britain Road, New Windsor, New York 12550,

part Y of the first part, and  
FRED N. PELLECHIA and EDITH PELLICHIA, husband and wife, as tenants by the entirety, residing at No. 18 Linden Drive, Newburgh, New York 12550,

parties of the second part:  
Witnesseth, that the part Y of the first part, in consideration of Ten and no/100  
(\$10.00) Dollars,  
lawful money of the United States, and other good and valuable considerations  
paid by the parties of the second part,  
does hereby grant and release unto the parties of the second part, their heirs  
and assigns forever,

All that piece or parcel of land, together with the improvements thereon, situated in the Town of New Windsor, Orange County, New York, bounded and described as follows:-

BEGINNING at an iron rod in the southerly right of way line of the New York State Highway Route 207, from Newburgh to Little Britain, said point being 142.87 feet distant measured southeasterly along the said right of way line from the easterly corner of lands of Nathaniel M. Brown, and being 12± feet distant measured southeasterly from the center of a concrete culvert and runs,

THENCE (1) South 76° 13' East along said Right of Way line 100.19 feet to an iron rod,

THENCE (2) South 17° 16' West 170.37 feet to an iron rod,

THENCE (3) North 72° 44' West 100.0 feet to an iron rod on the easterly side of a small drainage ditch,

THENCE (4) North 17° 16' East 164.28 feet to the point of beginning.

Containing 0.384 acre of land, more or less.

BEING a portion of the lands conveyed by Nathaniel M. Brown by

deed dated October 17, 1949, and recorded in the Orange County Clerk's Office on October 18, 1949, in Liber 1138 at Page 451.

BEING the same premises conveyed by Rowland D. Smith, Jr. and Cherry A. Smith, husband and wife, to Frederick W. Koch, Jr., and Georgian D. Koch, husband and wife, by deed dated April 21, 1953, recorded April 23, 1953 in Liber 1264 of Deeds at Page 578, Orange County Clerk's Office. Said Frederick W. Koch, Jr., having become deceased on the 5th day of November, 1972, survived by Georgian D. Koch, surviving tenant by the entirety and instant grantor.

Together with the appurtenances and all the estate and rights of the part y of the first part, in and to the said premises.

To have and to hold the premises herein granted unto the part ies of the second part, as tenants by the entirety, their heirs and assigns forever.

And said ~~XXXX~~ party of the first part

covenant<sup>s</sup> as follows:

First. That said party of the first part is seized of the said premises in fee simple and has good right to convey the same;

Second. That the parties of the second part shall quietly enjoy the said premises;

Third. That the said premises are free from incumbrances;

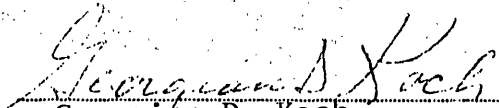
Fourth. That the part Y of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth. That said party of the first part will forever warrant the title to said premises.

Sixth. The grantor, in compliance with Section 13 of the Lien Law, covenant as follows: That she will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that she will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the part Y of the first part has hereunto set her hand and seal the day and year first above written

In the Presence of:

 (L.S.)  
Georgian D. Koch

State of New York,  
County of ORANGE

ss.:

On the 13th day of November, nineteen hundred and Seventy-five before me personally came GEORGIAN D. KOCH



And said ~~XXXX~~ party of the first part

covenant as follows:

First. That said party of the first part is seized of the said premises in fee simple and has good right to convey the same;

Second. That the parties of the second part shall quietly enjoy the said premises;

Third. That the said premises are free from incumbrances;

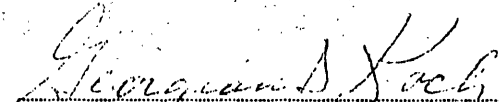
Fourth. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

Fifth. That said party of the first part will forever warrant the title to said premises.

Sixth. The grantor, in compliance with Section 13 of the Lien Law, covenant as follows: That she will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that she will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set her hand and seal the day and year first above written


In the Presence of:

  
Georgian D. Koch (L.S.)

State of New York,  
County of ORANGE

ss.:

On the 13th day of November, nineteen hundred and Seventy-five before me personally came GEORGIAN D. KOCH, to me known to be the individual described in, and who executed, the foregoing instrument, and acknowledged that she executed the same.

  
Notary Public

ALLEN J. INUZIONKA  
Notary Public in the State of New York  
Residence on Appointment - Orange County  
Commission Expires March 30, 1976

ALLEN J. INUZIONKA  
Notary Public in the State of New York  
Residence on Appointment - Orange County  
Commission Expires March 30, 1976

2022

2020

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

# Deed.

GRANGE  
COUNTY

REAL ESTATE  
TRANSFER TAX  
BOOK OF  
RECORDS NOV 17 75  
L. J. JONES

STATE OF  
NEW YORK  
2032  
100

GEORGIAN D. KOCH

TO

FRED N. PELLECHIA and EDITH  
PELLECHIA, husband and wife

Dated, November 13th, 1975

LIB. 2022 Pg 640

BTR  
100-100-100  
2032  
100  
100

ALLEN J. INBZONKA  
ATTORNEY AT LAW  
165 LIBERTY STREET  
NEW YORK, N.Y. 10038

2970  
7-

Chg. Northrup

17th  
Nov 1975  
Deed  
Page 637  
C. N. Winters

THIS INDENTURE, made the 27<sup>th</sup> day of July, nineteen hundred and seventy-nine  
BETWEEN CAROL A. OWEN, residing at Mt. Airy Road, (no number),  
New Windsor, New York,

party of the first part, and FRED N. PELLECHIA and EDITH PELLECHIA, husband and  
wife, as tenants by the entirety, residing at 601 Little Britain Road,  
New Windsor, New York,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

- - - - -TEN AND NO/100 - - - - - (\$10.00) - - - - - dollars,

lawful money of the United States, and other good and valuable consideration paid  
by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or  
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,  
lying and being in the Town of New Windsor, Orange County, New York,  
bounded and described as follows:

BEGINNING at an iron pipe in the southerly right of way line of the  
New York State Highway Route 207 from Newburgh to Little Britain at  
the easterly corner of lands of Nathaniel M. Brown and runs thence  
(1) S 85 degrees 43' E along said right of way line 61.78 feet to  
a concrete monument; thence (2) along the same S 76 degrees 13' E  
80.77 feet to an iron rod, said point being 12 more or less feet  
distant measured southeasterly from the center of a concrete  
culvert; thence (3) S 17 degrees 16' W 164.28 feet to an iron rod  
on the easterly side of a small drainage ditch; thence (4) N 72  
degrees 44' W 148.20 feet to an iron rod in the line of lands of  
Nathaniel M. Brown; thence (5) N 20 degrees 10' E along said line of  
Brown 145.67 feet to the point of beginning.

BEING the same premises described in a deed dated November 19, 1969 from  
Merlin P. Owen and Martha M. Owen to JOHN P. OWEN and CAROL A. OWEN,  
which Deed was thereafter recorded in the Office of the Orange County  
Clerk on November 20, 1969, in Liber 1834 of Deeds at Page 1141.

BEING the same premises conveyed by John P. Owen and Carol A. Owen  
to Carol A. Owen by deed dated February 24th, 1978, and recorded  
in the Orange County Clerk's Office on March 10th, 1978 in Liber 2093  
of Deeds at Page 603.

**TOGETHER** with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

  
CAROL A. OWEN

STATE OF NEW YORK, COUNTY OF ORANGE

SS:

On the 27<sup>th</sup> day of July 1979, before me personally came

CAROL A. OWEN

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

*Albert P. Pacione Jr.*

ALBERT P. PACIONE JR.  
Notary Public, State of New York  
Qualified in Orange County  
My Commission Expires Mar. 30, 1981

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed  
WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

CAROL A. OWEN

TO

FRED N. PELLECHIA and EDITH PELLECHIA, husband and wife, as tenants by the entirety,

SECTION

BLOCK

LOT

COUNTY OR TOWN

RETURN BY MAIL TO:

Northrop & Stradar, Esqs.  
388 Broadway  
Newburgh, New York 12550

Zip No.

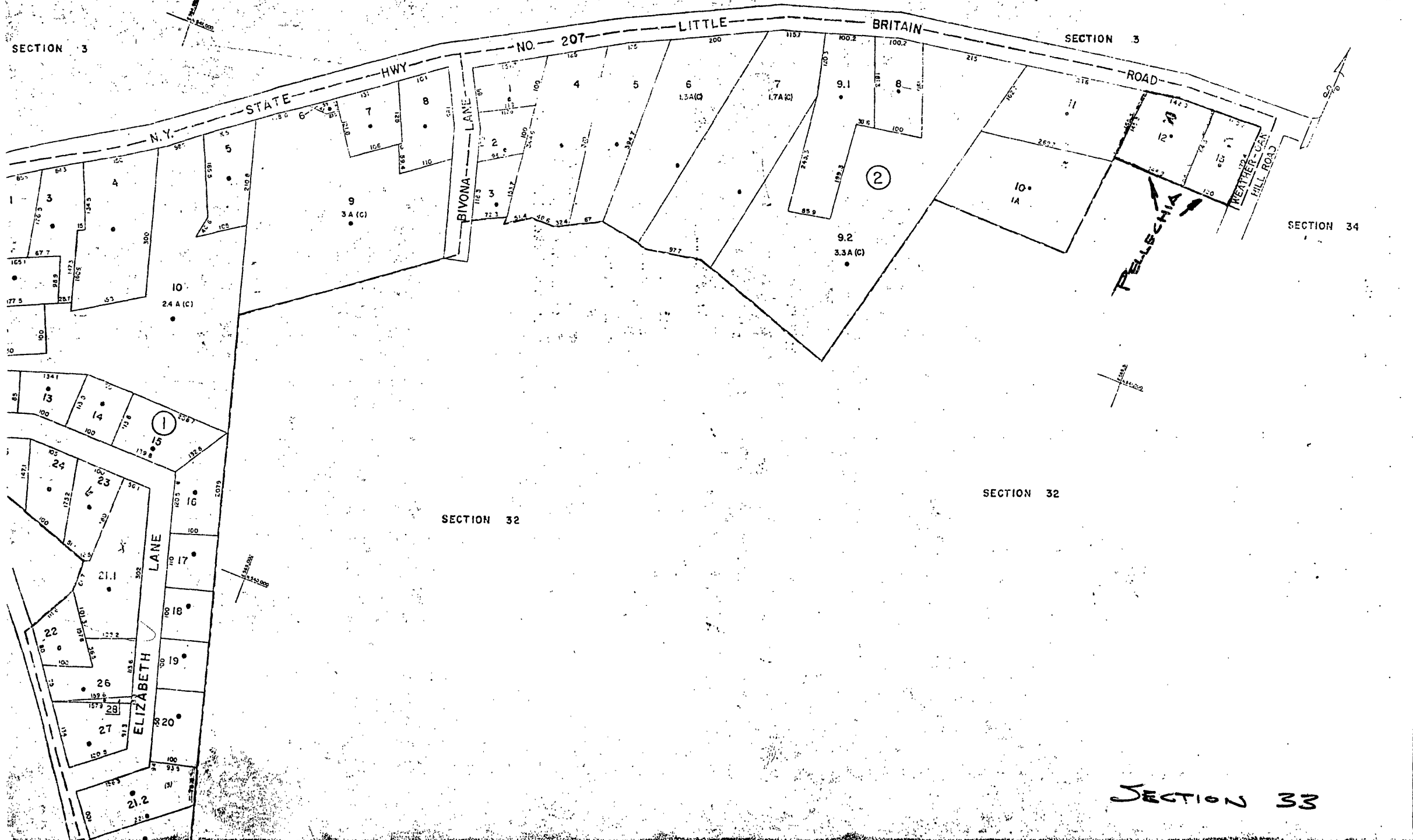
rding Office.

S. day 1979

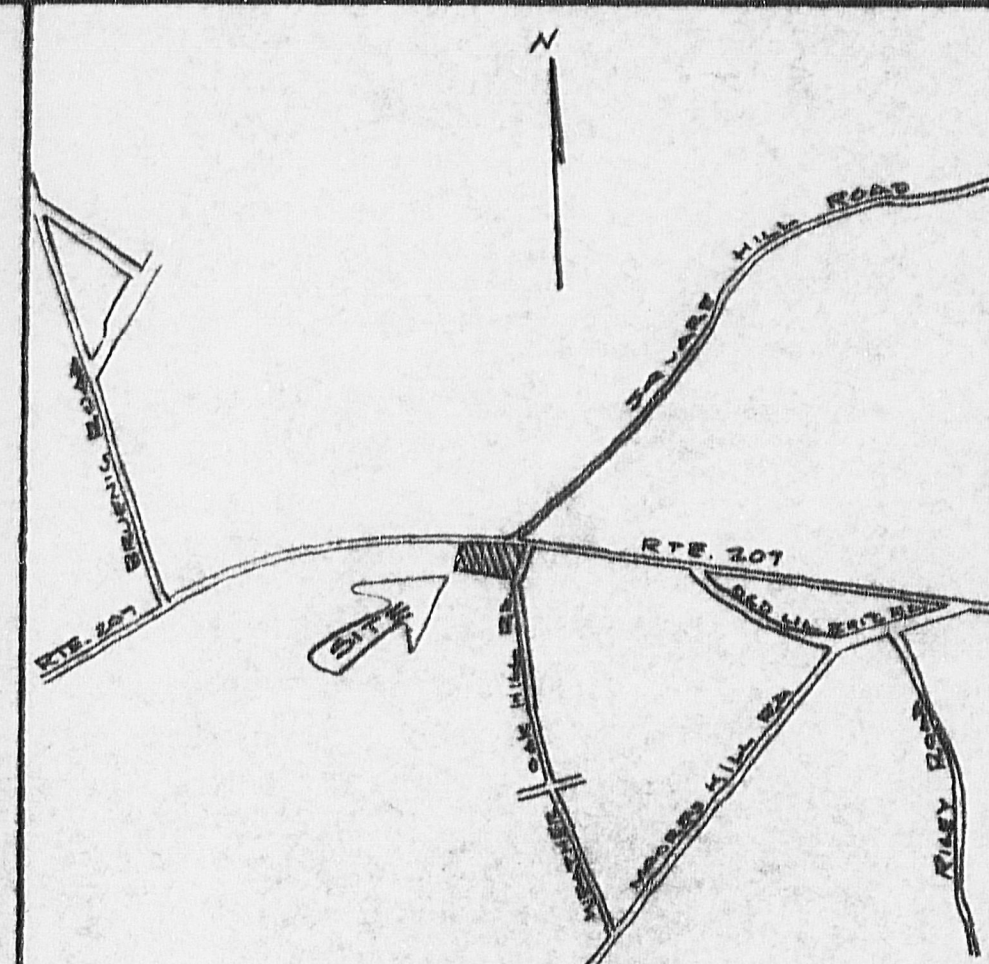
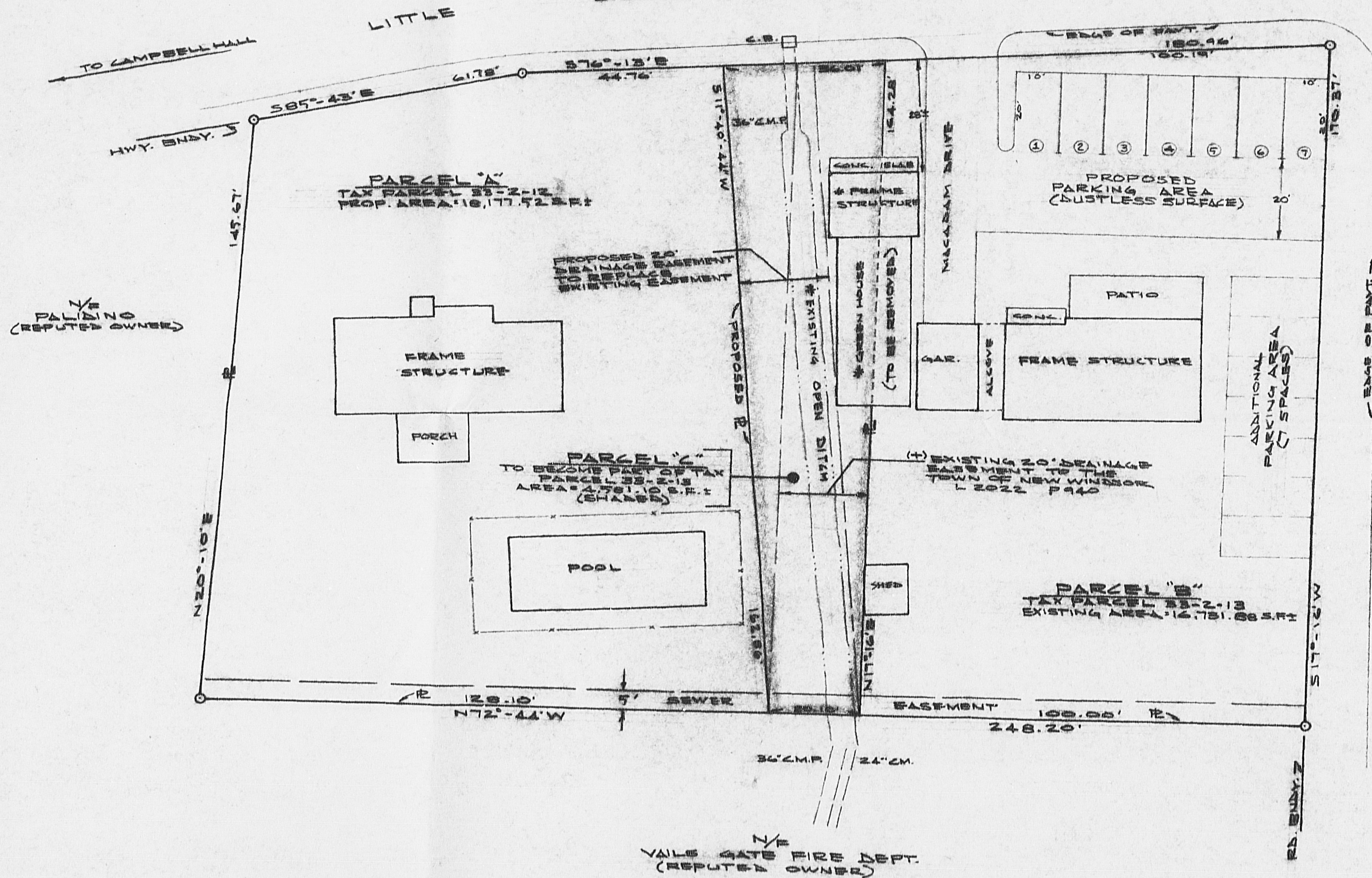
10



SECTION 3







LOCATION PLAN

SCALE 1"=1000'

GENERAL NOTES

1. SURVEY BY OTHERS, UNLESS OTHERWISE NOTED.
2. \* LOCATED BY THIS OFFICE FROM EXISTING STRUCTURES IN #1 ABOVE.
3. (S) ORIGINAL EASEMENT AS LOCATED BY OTHERS.
4. VINCENT L. DOLE DISPUTES LOCATION IN #3 ABOVE.
5. \* SEE #4 ABOVE NOT WITHSTANDING, SUBJECT PROPERTY OWNER NOW PROPOSES THAT NEW EASEMENT (PARCEL "C") REPLACES ALL PREVIOUS EASEMENTS & AGREEMENTS.

ZONE DISTRICT NC

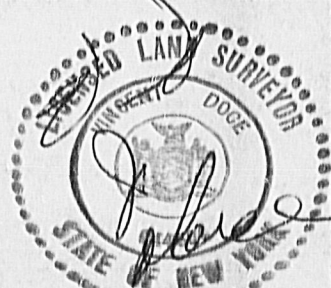
LOT AREA	10,000 S.F.
LOT WIDTH	100 FT.
FRONT YARD	40 FT.
REAR YARD	15 FT.
ONE SIDE YARD	15 FT.
BOTH SIDE YARDS	35 FT.
FLOOR AREA RATIO	1

TAX MAP DATA:  
SECTION 33 BLOCK 2 LOTS 12 & 13

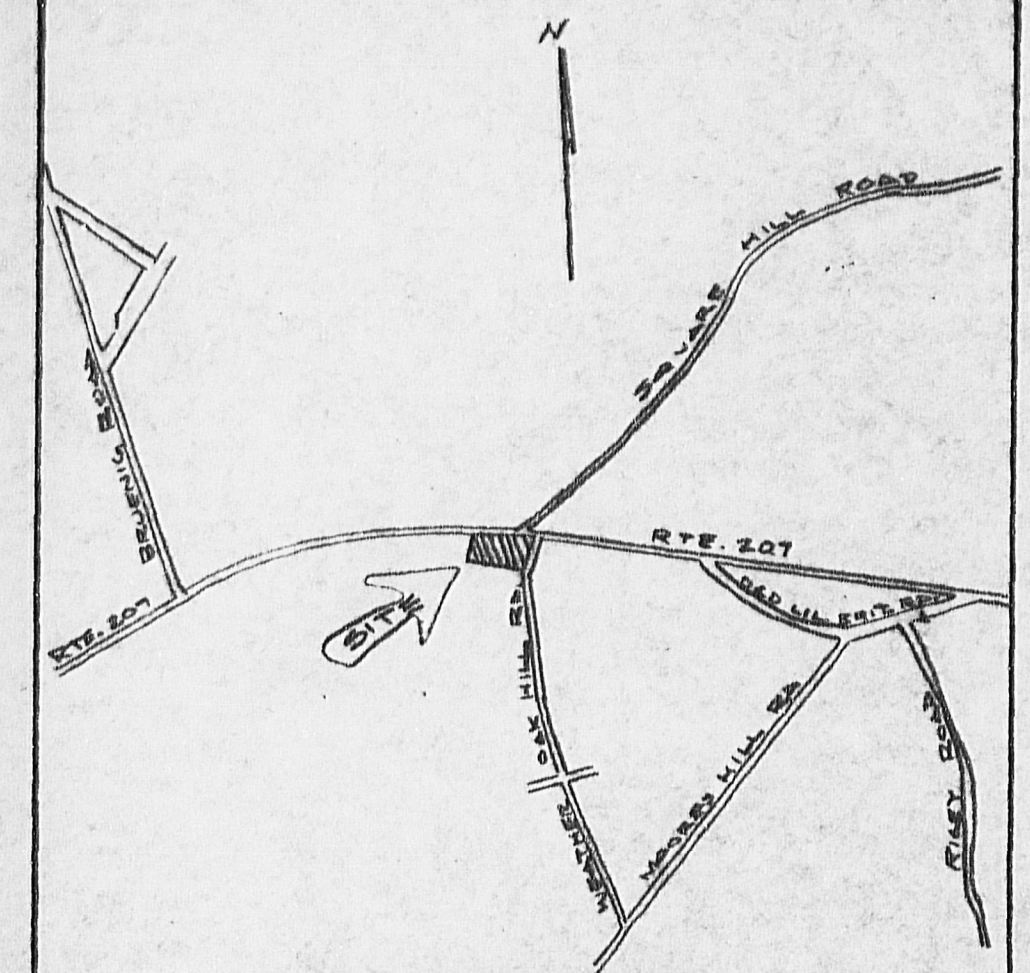
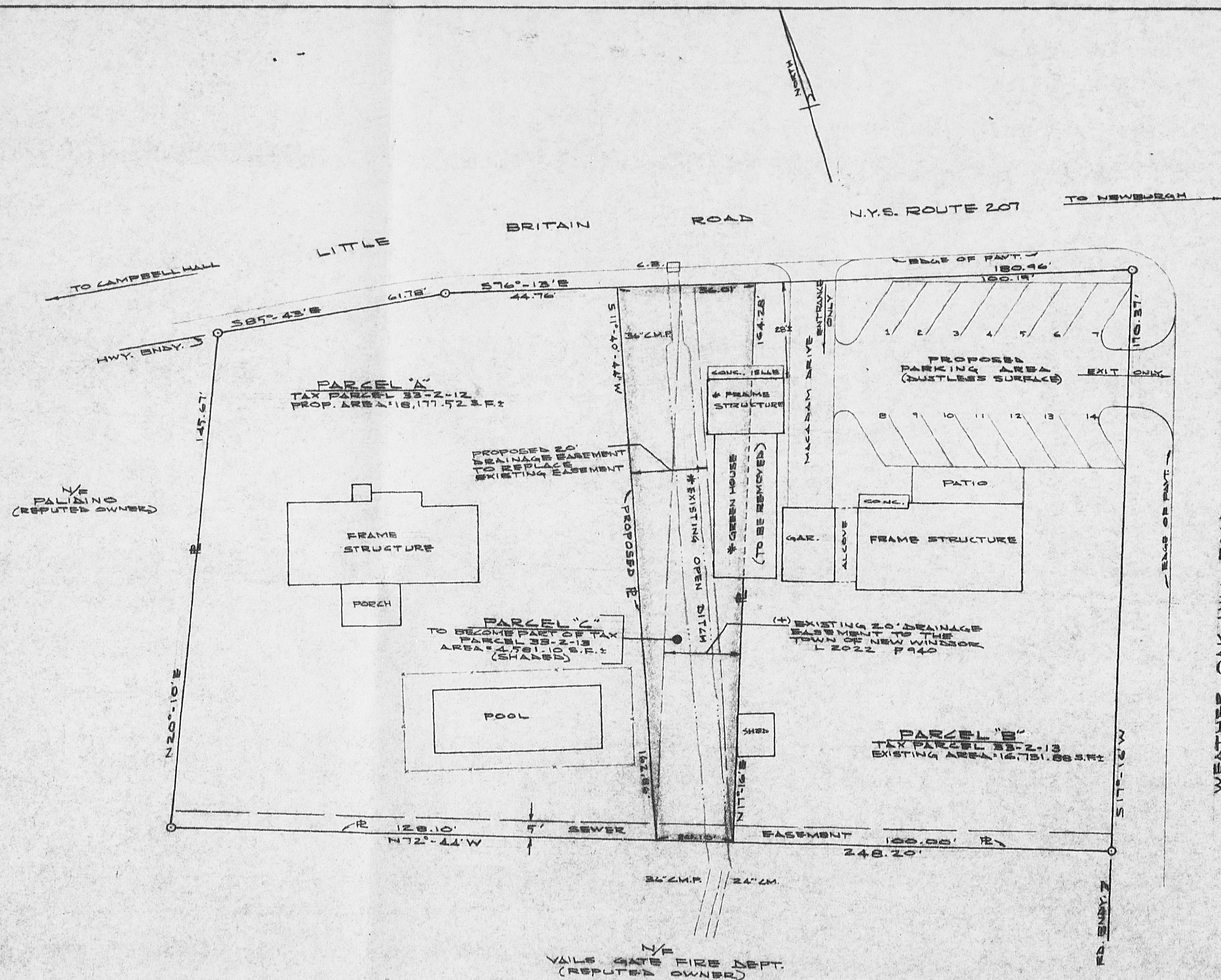
DEED REFERENCES:  
LIBER 2022 PAGE 687  
LIBER 2155 PAGE 677

PROPOSED LOT LINE CHANGE  
SITE PLAN  
LINES OF  
FRED N. & EDITH BELLECHIA  
N.Y.S. ROUTE 207 TOWN OF NEW WINDSOR  
ORANGE CO. NEW YORK

PREPARED BY:  
VINCENT L. DOLE ASSOCIATES  
SURVEYORS & PLANNERS  
17 NEW ROAD NEWBURGH, N.Y.  
DRAWN BY: L.T. CHECKED BY: J.S.  
DATE: 4-13-83 SCALE: 1"=20'  
REVISED: 4-25-83







## GENERAL NOTES

1. SURVEY BY OTHERS, UNLESS OTHERWISE NOTED.
2. \* LOCATED BY THE OFFICE FROM EXISTING STRUCTURES IN #1 ABOVE.
3. (3) ORIGINAL EASEMENT AS LOCATED BY OTHERS.
4. \* LOCATED BY THE OFFICE FROM EXISTING STRUCTURES IN #1 ABOVE.
5. \* LOCATED BY THE OFFICE FROM EXISTING STRUCTURES IN #1 ABOVE.
6. \* REPLACES ALL PREVIOUS EASEMENTS & AGREEMENTS.

ZONE DISTRICT NC

LOT AREA	10,000 SQ. FT.
LOT WIDTH	100 FT.
FRONT YARD	40 FT.
REAR YARD	15 FT.
ONE SIDE YARD	15 FT.
BOTH SIDE YARDS	35 FT.
FLOOR AREA RATIO	1

TAX MAP DATA:

SECTION 33 BLOCK 2 LOTS 12 & 13

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LI 000000 2022 PAGE 637  
LI 000000 2138 PAGE 675

### PROPOSED LOT LINE CHANGE

STEVE PLAN  
 CARE OF  
 FRED Z. SPEDITH PELLICIA  
 N.Y. 10014 NOT TOWN OF NEW WINSON  
 ORANGE CO. NEW YORK

月更應戶人司甲乙 圖人：

VINCENT J. DOLE ASSOCIATES  
SURVEYORS & PLANNERS

[illegible]